

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS- Land Acquisition – Adilabad District – Tiryani (Mandal) – Areguda (Village) – O.P.No.50/96 - Sanction of the half of the decretal charges of **Rs.2,59,26,351/-** - Orders- Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 912

DATE:25.11.2009

Read:

From the CCLA, A.P, Hyderabad, Lr.No.G3/1624/2008, dated:02.09.09
along with the proposal of the District Collector, Adilabad.

O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the District Collector, Adilabad has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.50/96 pertaining to Areguda (V) Tiryani (M) of Adilabad District. he then Revenue Divisional Officer, Utnoor has acquired the lands for an extent of 344.71 acre at Areguda (V) Tiryani (M) has been acquired for construction of VVP by the LAO/RDO, Utnoor vide Award No.B/120/85, dt:20.09.1986. Aggrieved by the award, the awardees have filed petitions U/s.18 of L.A.Act for adjudication of land value. On reference the Sr.Civil Judge, Asifabad has enhanced the land value from Rs.3,000/- to Rs.16,000/- per acre in O.P.No.50/96, dt:24.03.2006. The enhancement of land value amount by the Hon'ble Civil Court, Asifabad is more than 50% to the land value fixed by the LAO and aggrieved by the orders, the LAO/RDO, Utnoor has filed appeal in Hon'ble High Court of A.P, Hyd in LAAS No.241/08. The Hon'ble H.C of A.P, Hyd has passed orders on 02.09.2008 in LAASMP No.957/08 in LAAS No.241/08 granting conditional stay to deposit entire decretal amount within three months from 02.09.2008 and claimants are permitted to withdraw the half of the decretal amount.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.2,59,26,351/- (Rupees Two crores fifty nine lakhs twenty six thousand three hundred and fifty one only)** in respect of O.P.No.50/96 pertaining to Areguda (V) Tiryani (M) of Adilabad District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/ Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The District Collector, Adilabad has directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants of O.P.No.50/96 under SRSP for avoiding intervention of the middlemen.

4) The expenditure sanctioned in para (2) ante shall be debitable to following Head of Account under "4701 – 03 – Medium Irrigation – M.H.800 – Other expenditure – S.H (04) Project Establishment under Chief Engineer – Medium Irrigation – S.H (26) - Dams and Appurtenant works – 530 – Major works – 532 – lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O.No.27845/1038/Exp.PW.1/09, dt:10.11.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The District Collector, Adilabad District.
The Chief Engineer, Minor Irrigation, Hyderabad.
The Revenue Divisional Officer, Utnoor, Adilabad.
The Director of Works Accounts, Hyderabad.
Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.23715/LA.III(A2)/2009
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER